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TAGS: [PREL](#) [PHUM](#) [PTER](#) [PGOV](#) [PREF](#) [EG](#)
SUBJECT: MINISTER OF INTERIOR ON COUNTER-TERROR LAW,
AFRICAN MIGRANTS, AND POLICE TRAINING PROGRAM

REF: A. CAIRO 862
[1](#)B. STATE 31973

Classified By: Ambassador Margaret Scobey, for reasons
1.4 (b) and (d).

[1](#)1. (C) Summary: In a May 7 introductory meeting with the Ambassador, Interior Minister Habib Al Adly offered no indication as to whether the Egyptian government will enact new counter-terror legislation by May 31, or instead simply re-extend the existing Emergency Law, in force since 1981. Adly implied that, in at least one aspect, the draft counter-terror law may be tougher than the Emergency Law. He discussed Egyptian measures to discourage the movement of African migrants from Egypt to Israel, and blamed the recent killings of several Africans near the border with Israel on overall heightened border tensions, exchanges of fire between armed Bedouin smugglers and Egyptian security forces, and the difficulty for Egyptian forces of determining, often at night, whether someone is an unarmed migrant, potential terrorist, or smuggler. Adly said he welcomed the continuation of the USG-funded training program for Egyptian police, which is focused on community policing and the overall modernization of management approaches. End summary.

[1](#)2. (C) The Ambassador began the meeting by thanking Adly for the stellar protection and support the Egyptian security services provide to the Embassy and its personnel. She then queried him as to whether Egypt plans to lift the state of emergency by May 31. (Note: Egypt's Emergency Law has been in force since 1981. In 2006, when the Emergency Law was controversially extended for another two years, the GOE pledged to lift the state of emergency by June 2008, when the current mandate for the Emergency Law expires, and also enact new counter-terrorism (CT) legislation by then. To date, the draft CT law has not been brought before parliament for approval. End note). Adly noted that the CT law is still being worked on by an interagency drafting committee, and that "a decision will need to be taken" before the end of May as to whether the CT law would be enacted or the Emergency Law extended. He did not indicate which option he favored.

[1](#)3. (C) Adly said that a balance must be struck between "security needs, which are likely to be greater in this coming period, which we anticipate will be even more dangerous, and between the people who do not want this law issued." Adly posited that the average Egyptian citizen is not concerned about the new CT law, and that "oppositionists and parliamentary minorities" are "misinterpreting" the situation. Commenting that the Emergency Law is normally used only with regard to "terrorism and crimes aimed at creating instability in the country," Adly cited the recent case of Facebook activist Esraa Abdel Fattah, who originated the Facebook call for an April 6 general strike, and was subsequently detained for two and a half weeks (ref A). Adly specified that under the draft CT law, "we would have the right to detain her for much longer, for her crime of trying to create instability. In her case, we needed to intervene

immediately, to stop the chaos that Esraa and her ilk hoped to create." The Ambassador stressed that the challenge of balancing security and the rights of citizens is difficult, but that it is always better to operate under a transparent law passed by parliament, rather than under an extra-constitutional decree.

¶4. (C) In response to the Ambassador's questions about recent killings of African migrants on the Egyptian-Israeli border, and whether the US could be of any assistance in helping Egypt to avoid such deaths (ref B), Adly provided a lengthy explanation of Egypt's approach to and views on the problem. He opined that the violence is the result of a tense dynamic on Egypt's border with Israel, and the difficulty for Egyptian security forces of differentiating between migrants and potential terrorists or weapons/drug smugglers in inhospitable terrain, often in the middle of the night. Additionally, he said that exchanges of fire sometimes occur between Egyptian forces and armed Bedouin smugglers accompanying the migrants, injuring the migrants collaterally.

¶5. (C) Adly asserted that Egyptian security services endeavor to identify potential migrants before they reach the border by interviewing travelers at checkpoints throughout the country, especially in areas abutting the Sinai, and within the Sinai itself. If likely migrants are discovered at those checkpoints, "they are sent back to their embassies in Cairo for repatriation." He noted that Egyptian embassies abroad are also carefully screening visa applications from source countries, in an effort to avoid giving visas to likely trans-migrants. Despite these various measures, "some get

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through to the border." In Adly's view, the border situation has become more tense since Hamas breached the Rafah border crossing in early 2008, and that while Egyptian civilian police were originally responsible for most encounters with migrants, since then "military forces" are also involved (NFI). Noting that the US fully understands the challenges of policing borders, the Ambassador stressed our concern for the innocent, unarmed people who are getting killed. The Ambassador offered USG assistance in dealing with this complex issue, either in directly working with the GOE, or in coordinating with international organizations to better address the problem. Adly did not respond to the Ambassador's offer.

¶6. (C) The Ambassador asked Adly for his views on the USG-funded police reform project, which began in summer 2007, and is aimed at supporting the modernization of management and policing approaches of the Egyptian National Police. Adly, who seemed unfamiliar with the initiative, responded that, "I welcome any type of cooperation and exchange, because such efforts are useful to both sides. Therefore, I welcome the continuation of this police program."

SCOBey